

Upshur county—H. C. Cunliffe, John H. Carter, M. J. Ragsdale, T. H. Chandler, J. D. Hart, A. S. Morris, T. F. McKissack, M. R. Henderson, J. R. White and S. C. Hart.

Uvalde county—Geo. W. Powell, A. A. Dial and J. M. McCormick.

Victoria county—C. Le Sage, Frank Pridham, W. Schmidt, J. E. Carpenter, C. L. Thurmond, J. S. Munn, P. T. Stonier, A. B. Petcolas, M. M. Goodwin, James H. Teel.

Waller county—H. P. Downman, A. C. Tompkins, R. A. Gladish, B. F. Elliott, W. T. Andress, A. J. Harvey, T. S. Reese, D. J. Parker and H. L. Rankin.

Wichita county—Levin T. Miller, R. A. Weill, H. A. Lewis, R. E. Huff, T. F. Miller, A. C. Shurtliff.

Wilbarger county—C. C. Johnson, W. L. Gordon, J. P. Orr, Charles Wheeler, E. W. Foster.

Wilson county—J. W. Dickey, A. J. Williams and John L. M. Caleb.

Wheeler county—E. J. Rising, M. Husselby, John O. B. Street, W. H. Grigsby.

Washington county—D. R. Ponce, A. Jeffries, W. H. Vinson, Lewis R. Bryan, E. B. Randle, Henry Muller, Geo. B. Roberson, Thomas B. Botts, W. C. Broesche, Rudolph Krug, C. L. Spencer, R. S. Tarver, O. H. P. Garrett, sr., T. J. Newman, Joseph Mikeska and J. N. Brown.

Wharton county—B. D. King, W. J. Croom, Mentor Northington, M. Gollaher, Chas. Boyd, T. Hall.

Williamson county—Sidney Seymour, L. M. Mays, R. H. Price, Samuel C. Taylor, H. B. Sheppard, J. A. Blanton, Chas. Morelle, J. B. Wright, A. G. Gannaway, Wm. Elliott, J. W. Posey, John Thredaill, H. A. Christie, James A. Rumsey, James H. Robertson, James H. Faubion, S. P. Williams, Geo. Mitchell, John W. Parker, C. P. Vance.

Walker county—Haywood Braban, Ben Campbell, Lee Kraus, Geo. W. Farris, J. D. Cunningham, J. H. Smith, J. A. White, S. T. Burnes.

Webb county—S. T. Foster, Juan V. Benavides, Lewis Ortis, Dario Sanchez, Jose M. Rodriguez, C. A. McLane, R. S. Randall, Charles F. Whitney, J. O. Nicholson, A. Wishart, Martin M. Reynolds, E. F. Hall, G. B. Broadwater, J. L. Bartlett, Edward L. Winslow, Samuel M. Jarvis.

Wood county—C. B. Gorman, J. J. Barber, M. D. Carlock, T. J. Russell, J. W. Bird, J. H. Voorhees, W. Q. Richards, A. Morrison, P. M. Morris, Geo. A. Cage, J. L. Galt, Thos. M. Breen, J. A. Stinson, W. C. Pierson.

Young county—Robert Holman, John F. Brim.

Zapata county—James Downing.

The following names were rejected: R. A. Muncrief and A. A. Jayne.

Senator Patton moved to adjourn till 10 o'clock to-morrow.

Senator Gibbs moved to amend by substituting 9:30.

Accepted, and motion, as amended; adopted, and Senate adjourned till 9:30 a. m. to-morrow.

#### FIFTY-FOURTH DAY.

SENATE CHAMBER,  
AUSTIN, TEXAS, March 17, 1883. }

Senate met pursuant to adjournment.

President pro tem. in the chair.

Roll called. Quorum present.

Prayer by the Rev. Mr. Preston, of San Antonio.

On motion of Senator Kleberg, the reading of yesterday's journal was dispensed with.

Senator Harris offered the following resolution:

WHEREAS, the list of notaries public printed in the journals of the Senate, of date March 17, 1883, purporting to contain the names of all the notaries confirmed by the Senate on March 16, is in many respects erroneous, and contains names that were not confirmed; therefore, be it

Resolved, That the Secretary of the Senate be required to have printed in the journals of to-day's proceedings a correct list of the notaries so confirmed by the Senate, and that he read a proof of the list before it leaves the hands of the printer.

Adopted.

On motion of Senator Traylor, Senator Randolph was indefinitely excused, on account of sickness in his family.

Senator Terrell, chairman of Judiciary Committee No. 1, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, March 15, 1883.

Hon. A. W. Houston, President pro tem. of the Senate:

Your Judiciary Committee No. 1, to whom was referred substitute House bill No. 113, entitled "An act to amend article 838, Revised Statutes," have carefully examined the same, and instruct me to report the same back with the recommendation that it do pass.

The object of this bill is to so fix the boundaries of Lee county as to conform them to the original survey, in which one of the calls was incorrectly set forth. It does not change the boundaries of any other county, nor take any territory belonging to it, as we are informed by the Senator from that district, and therefore does not infringe any provision of the Constitution, but simply straightens the line of Lee county, and fixes the status of a certain part of it, as originally voted to it, but heretofore rendered doubtful by reason of said incorrect call.

All of which is respectfully submitted.

TERRELL, Chairman.

Bill read first time.

Senator Davis, chairman of Committee on Education, submitted the following reports:

COMMITTEE ROOM,  
AUSTIN, TEXAS, March 17, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Education, to whom was referred Senate bill No. 397, entitled "An act to amend article 3763, and to repeal article 3765, of the school law," have carefully examined the same, and instruct me to report the same back with the recommendation that it do pass.

All of which is respectfully submitted.

DAVIS, Chairman.

Bill read first time.

COMMITTEE ROOM,  
AUSTIN, March 17, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Education, to whom was referred Senate bill No. 263, entitled "An act to amend articles 3752 and 3758, chapter 3, title 78, of the Revised Statutes (school law)," have carefully examined the same, and instruct me to report the same back with the recommendation that it do pass.

All of which is respectfully submitted.

DAVIS, Chairman.

Bill read first time.

Senator Martin, chairman of Committee on Engrossed Bills, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, March 17, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 130, being "An act defining the duties and liabilities of sheriffs who are tax collectors, and collectors of taxes in cases where they may be re-elected to the same office, and providing for their removal from office in certain cases," and find the same correctly engrossed.

MARTIN, Chairman.

Senator Davis introduced a bill to be entitled "An act to authorize suits against the officers of the executive departments, and to fix the venue of the same."

Referred to Judiciary Committee No. 1.

Senator Fowler moved to suspend the regular order of business and take up House bill No. 113, "An act to amend article 838, Revised Statutes."

Adopted and bill taken up.

Senator Fowler moved to suspend the constitutional rule and place bill on its second reading.

Adopted, by the following vote:

YEAS—23.

Buchanan,  
Chesley,  
Collins,  
Davis,  
Farrar,  
Fleming,  
Fowler,  
Getzendaner,

Harris,  
Houston,  
Jones,  
Kleberg,  
Martin,  
Matlock,  
Patton,  
Peacock,

Perry,  
Pfeuffer,  
Pope,  
Shannon,  
Stratton,  
Terrell,  
Traylor.

NAYS—1.

Gibbs.

Bill read second time and passed to its third reading.

Senator Fowler moved a further suspension of the rules and place bill on its third reading.

Adopted, and

Rules suspended by the following vote:

YEAS—24.

Buchanan,	Getzendaner,	Patton,
Chesley,	Gibbs,	Peacock,
Collins,	Harris,	Perry,
Cooper,	Houston,	Pfeuffer,
Davis,	Jones,	Pope,
Farrar,	Kleberg,	Stratton,
Fleming,	Martin,	Terrell,
Fowler,	Matlock,	Traylor.

NAYS—none.

Bill read third time and passed by the following vote:

YEAS—24.

Buchanan,	Getzendaner,	Peacock,
Chesley,	Gibbs,	Perry,
Collins,	Harris,	Pfeuffer,
Cooper,	Houston,	Pope,
Davis,	Jones,	Shannon,
Farrar,	Kleberg,	Stratton,
Fleming,	Martin,	Terrell,
Fowler,	Matlock,	Traylor.

NAYS—none.

Senator Jones moved to suspend the regular order of business and take up Senate bill No. 211, "An act authorizing the county commissioners' courts of the several counties of the State to issue bonds for the erection of court houses and jails, and levy a tax to pay the same."

Adopted, and bill taken up and read third time.

Senator Jones offered the following amendment:

"The fact that the session of the Legislature is drawing to a close, and the large number of bills before both houses renders it likely that only a few can or will be passed, and the fact that there are many counties in the State which have no court houses or jails, and many counties whose courthouses and jails are so much out of repair as to be useless to the counties for confining prisoners, and for transacting business of the public courts, an imperative public necessity and emergency authorizing the suspension of the constitutional rule requiring bills to be read on three several days, and that this bill take effect and be in force from and after its passage; and it is so enacted."

Adopted by the following vote:

YEAS—22.

Buchanan,	Gibbs,	Peacock,
Chesley,	Harris,	Pfeuffer,
Collins,	Houston,	Pope,
Davis,	Jones,	Shannon,
Farrar,	Kleberg,	Stratton,
Fleming,	Martin,	Terrell,
Fowler,	Matlock,	Traylor.
Getzendaner,		

NAYS—none.

Bill read third time and passed by the following vote:

YEAS—23.

Buchanan,	Gibbs,	Peacock,
Chesley,	Gooch,	Pfeuffer,
Collins,	Harris,	Pope,
Cooper,	Houston,	Shannon,
Davis,	Jones,	Stratton,
Farrar,	Kleberg,	Terrell,
Fleming,	Martin,	Traylor.
Getzendaner,	Matlock,	

NAYS—none.

Senator Martin moved to suspend the regular order of business and take House bill No. 269, "An act to authorize and grant to E. D. Crosby the right to construct, maintain and use a boom across the Brazos river, in McLennan county, for the stoppage of floating material."

Bill taken up, read second time, and passed to third reading.

Senator Cooper moved to suspend the regular order of business and take up Senate bill No. 324, a bill to be entitled "An act to provide for the location and patenting of certain land certificates issued under authority of an act, approved April 9, 1881, entitled 'an act granting to persons who have been permanently disabled by reason of wounds received while in the service of this State or of the Confederate States, a land certificate for twelve hundred and eighty acres of land,' and also under authority of an act approved March 15, 1881, entitled 'an act granting a land certificate of twelve hundred and eighty acres to each of the surviving soldiers of the Texas revolution, and the surviving signers of the Declaration of Texas Independence, and to the surviving widows of such soldiers and signers, and to the widows of those who fell at the Dawson massacre,' and to repeal an act approved April 26, 1879, entitled 'an act granting a land certificate of six hundred and forty acres to each of the indigent veterans who were engaged in the struggle for Texas independence, prior to and at the battle of San Jacinto, enrolled under the act approved July 28, 1876.'"

Adopted, and bill taken up.

Senator Cooper offered the following amendment:

Amend by adding to section 2 as follows:

"Provided that said lands shall not be appropriated by said certificate until the one million acres of land set apart for the benefit of the State University shall have been designated and surveyed."

Senator Peacock offered the following substitute for the amendment of Senator Cooper:

Add to section 2 the following:

"Provided, that none of said certificates shall be located within the limits of the territory out of which the one million acres set aside to the State University is to be taken, until after the said one million acres has been designated by the Commissioner of the Land Office, or otherwise."

Senator Buchanan moved the previous question on bill and amendments.

Motion seconded, and main question ordered.

Senator Peacock's substitute was adopted by the following vote:

YEAS—24.

Buchanan,	Gibbs,	Patton,
Chesley,	Gooch,	Peacock,
Collins,	Harris,	Pfeuffer,
Cooper,	Houston,	Pope,
Farrar,	Jones,	Shannon,
Fleming,	Kleberg,	Stratton,
Fowler,	Martin,	Terrell,
Getzendaner,	Matlock,	Traylor.

NAYS—1.

Davis.

A message was received from the House requesting the Senate to return substitute for House bills Nos. 28 and 463, "An act to restore to and confer upon the county courts of Burnet and Comanche counties the civil and criminal jurisdiction heretofore belonging to said courts under the Constitution and laws of this State, and to conform the jurisdiction of the district courts to such change, and to repeal all laws in conflict with the provisions of this act," for correction.

Senator Gooch moved that the request be granted.

Adopted, and bill returned.

Senator Traylor offered the following amendment to the pending bill:

Add to section 2:

"And provided further, that the persons to whom the Confederate and veteran certificates were issued, and who are now the owners and holders thereof, shall have three

months after this act goes into effect, and the land is open to location, within which to locate the same before the purchasers of Confederate or veteran certificates shall be entitled to make locations thereof."

Senator Gibbs offered the following substitute for amendment of Senator Traylor:

Add to section 2 the following:

"And none of this land shall be subject to location under these certificates, unless the certificate is in the hands and actually owned by the original grantee, or his legal heirs, and he or they shall make affidavit to this fact, and the further fact that he has never disposed of same; and no such location shall be allowed if the file is not made in twelve months from the passage of this act."

Adopted by the following vote:

## YEAS—13

Chesley,  
Fleming,  
Fowler,  
Gibbs,  
Gooch,

Harris,  
Houston,  
Jones,  
Kleberg,

Patton,  
Pfeuffer,  
Shannon,  
Stratton.

## NAYS—10.

Buchanan,  
Cooper,  
Davis,  
Farrar,

Getzendaner,  
Martin,  
Matlock,

Peacock,  
Pope,  
Traylor.

Substitute made part of the bill.

Senator Matlock offered the following amendment:

Amend section 1, line 12, page 2, after the word "acts," by adding "or upon any of the public lands not otherwise appropriated."

Adopted.

Senator Gooch offered the following amendment to the amendment of Senator Matlock:

Add after "unappropriated" the words "or reserved."

Accepted.

Senator Davis offered the following amendment:

Strike out "not otherwise appropriated or reserved."

Lost.

Senator Matlock's amendment, as amended by Senator Gooch, adopted.

Senator Matlock offered the following amendment:

Add to section 2, in line 18, after "cases," as follows: "Or if the owner of any such certificate desires to locate the same upon any of the public lands which have not heretofore been surveyed, he may locate the same by filing his certificate with the surveyor of the land district in which the land is situated, which shall be patented, in accordance with the provisions of the act under which such certificate was issued."

Senator Traylor offered the following amendment to the amendment of Senator Matlock:

Amend by striking out "owner" and inserting "original grantee."

Adopted.

Senator Martin offered the following amendment to amendment of Senator Matlock:

After the word "surveyed" insert "or reserved by law from location."

Adopted.

Senator Matlock's amendment, as amended, was adopted.

Senator Davis moved to amend by striking out all after "directed," in line 6, page 2, to "under," in line 8, and insert "upon any vacant land reserved."

Lost.

Senator Getzendaner offered the following amendment:

Amend section 2 by adding, "and provided further, that none of said certificates now located shall be floated for the purpose of obtaining the benefits of this act."

Adopted.

Senator Cooper offered the following amendment:

"The near approach of the close of the present session of the Legislature, creates an emergency, and an imperative public necessity, that the constitutional rule requiring bills to be read on three several days be suspended, and that this law go into effect from and after its passage; and it so enacted."

Adopted.

Senator Matlock offered the following amendment:

Strike out after the word "land," in section 1, "not otherwise appropriated," and insert, "which have not heretofore been surveyed within such reservation."

Senator Terrell offered to amend the pending amendment by adding the words "subject to other limitations of this bill."

Accepted, and amendment, as amended, adopted.

Senator Traylor offered the following amendment:

Amend section 2, as amended, as follows: "and provided, that they shall survey alternate tracts of equal size for the common free school fund, when located on unsurveyed land, and the Commissioner of the General Land Office shall select one of said tracts for said fund."

Adopted.

Senator Davis offered the following amendment:

Strike out "two," and insert "four," in line 16, section 2, and insert "if practicable" after "contiguous section."

Adopted, and

Bill, as amended, ordered engrossed.

On motion of Senator Cooper, the rules were suspended to place the bill on its third reading by the following vote:

## YEAS—23.

Buchanan,  
Chesley,  
Collins,  
Cooper,  
Davis,  
Farrar,  
Fleming,  
Fowler,

Getzendaner,  
Gibbs,  
Gooch,  
Harris,  
Jones,  
Kleberg,  
Martin,  
Matlock,

Patton,  
Peacock,  
Pope,  
Shannon,  
Stratton,  
Terrell,  
Traylor.

## NAYS—2.

Houston,

Pfeuffer.

On motion of Senator Martin, Senate adjourned till 3 o'clock p. m.

## AFTERNOON SESSION.

The Senate met pursuant to adjournment.

President pro tem. in the chair.

Roll called. Quorum present.

On motion of Senator Harris, Senator Perry was excused till Monday morning, on account of sickness in his family.

Senator Martin moved that the further consideration of Senate bill No. 324, granting land certificates to veterans, pending on adjournment, be postponed till after morning call Monday, and made a special order for that day.

Adopted.

Senator Patton moved to suspend the regular order of business and take up Senate joint resolution No. 45, "Instructing the Attorney-General of the State of Texas to institute suit against the Houston and Texas Central Railroad Company for amount claimed to be due by them as successors and purchasers of the Washington county railroad to the public free school fund."

Resolution taken up and read the second time, with committee amendments.

Senator Patton moved to adopt the committee amendments.

Committee amendments lost, and resolution was ordered engrossed.

Senator Davis moved to suspend the rules, and place the resolution on its third reading.

Adopted by the following vote:

## YEAS—21.

Buchanan,  
Chesley,  
Collins,  
Cooper,  
Davis,  
Farrar,  
Fleming,

Fowler,  
Getzendaner,  
Gibbs,  
Harris,  
Houston,  
Kleberg,  
Martini,

Matlock,  
Patton,  
Pfeuffer,  
Shannon,  
Stratton,  
Terrell,  
Traylor.

## NAYS—none.

Resolution read third time and passed.

Senator Stratton moved to suspend the regular order of business, and take up Senate bill No. 157, "An act to amend chapter 2, title 8, of the Penal Code of the State of Texas, by adding thereto article 198a."

Adopted, and bill taken up, with House amendment.

Senator Stratton moved that the Senate concur in the House amendment.

Adopted.

The president laid before the Senate House bill No. 34, "An act to amend article 186 of the Penal Code," with Senate amendments, the same having been returned by the House, with information from that body that they refused to concur in the Senate amendments.

Senator Kleberg moved that the Senate insist on its amendments, and that a conference committee be appointed.

Senator Shannon moved that the Senate recede from its amendments.

Senator Pfeuffer moved a call of the Senate.

Call seconded.

Roll called. Absent, Senators Gooch and Pope.

The pending business went to the table.

Senate bill No. 15, relating to the establishing of a reformatory farm and house of correction, being the unfinished business of this morning, was laid before the Senate and read the second time.

Senator Gibbs offered the following amendment:

Amend section 3 by striking out these words, "who shall receive the same salary allowed the superintendent of the penitentiary," and insert "who shall receive a salary of three hundred dollars per annum."

Adopted.

Senator Gibbs offered the following amendment:

Amend section 4, as amended, by adding "no convict within the age herein prescribed shall be transferred to or confined at the reformatory farm if the board of management think his presence there will tend to insubordination."

Lost.

Senator Stratton offered the following amendment:

"That the board of management shall have power, and it shall be their duty to prescribe rules and regulations for the government of the farm and the discipline, teaching and control of the convicts."

Lost, and bill, as amended, ordered engrossed.

Senator Gibbs moved to suspend constitutional rule and place bill on its third reading.

Roll called.

No quorum present.

Senator Fleming moved a call of the Senate.

Call seconded.

Roll called.

Absent, Senator Pope.

Senator Davis moved to suspend the call.

Adopted.

Rules suspended, and bill placed on its third reading by the following vote:

## YEAS—22.

Buchanan,  
Chesley,  
Collins,  
Cooper,  
Davis,  
Fleming,  
Fowler,  
Getzendaner,

Gibbs,  
Gooch,  
Harris,  
Jones,  
Kleberg,  
Martin,  
Matlock,

Patton,  
Peacock,  
Pfeuffer,  
Shannon,  
Stratton,  
Terrell,  
Traylor.

## NAYS—1.

Houston.

Bill read third time and passed.

On motion of Senator Peacock, Senator Pfeuffer was excused until Monday, on account of important business.

Senator Shannon moved to postpone the regular order of business and take up Senate bill No. 150, "A bill to amend article 1173, of chapter 4, title 28, of the Revised Statutes."

Senator Jones offered the following amendment:

SECTION —. The near approach of the close of the session, and the crowded condition of the calendar, and the importance of this act, creates an emergency and an imperative public necessity authorizing the suspension of the constitutional rule requiring this bill to be read on three several days; and it is accordingly so enacted.

Adopted, and bill, as amended, ordered engrossed.

Senator Peacock moved to postpone the regular order of business and take up Senate bill No. 114, a bill to be entitled "An act to amend 'an act to set aside the public lands embraced within the territorial limits of the county of Greer for educational purposes and for the payment of the public debt,' approved February 25, 1879."

Adopted.

Bill taken up and read second time, and postponed.

Senator Traylor moved to suspend regular order of business and take up Senate joint resolution No. 46, revoking penitentiary leases in event Senate amendments thereto are not adopted before adjournment, and make it the special order for Tuesday morning after morning call.

Senator Jones moved to amend by substituting Wednesday morning after morning call.

Senator Jones moved a call of the Senate.

Call seconded.

Roll called. Absent, Senators Pope and Houston.

The pending business went to the table.

On motion of Senator Chesley, Senate bill No. 280, "An act to regulate the duties of telegraph companies, and to prescribe a penalty for the violation of the same," was taken up out of its regular order.

Senator Chesley moved to refer the bill to a special committee of five to be appointed by the President.

Adopted.

The President appointed on said committee Senators Chesley, Farrar, Davis, Fleming and Martin.

Senator Martin asked to be relieved from serving on said committee, on the ground that he was hostile to the bill.

Granted, and the President appointed in his place Senator Buchanan.

Senator Stratton moved to take up, out of its regular order, substitute House bill No. 54, to provide annual pensions for the surviving soldiers or volunteers of the Texas revolution, and the surviving signers of the Declaration of Independence of Texas, and the surviving widows of such soldiers or volunteers and signers."

Motion lost.

Senate joint resolution No. 20, "Requesting the Senators and Representatives in Congress from Texas to use their best efforts in behalf of such an understanding between the government of the United States and that of the Republic of Mexico as will establish and maintain efficient quarantine laws to prevent the spread of infectious and epidemic diseases on the border of the two nations," was taken up in its regular order and read third time.

Senator Collins offered the following amendment:  
Amend by adding another section, to read, viz:

SECTION —. The danger of not being able to reach this measure in regular order creates a necessity for suspending the rule requiring it to be read on three several days; and it is suspended.

Adopted by the following vote:

AYES—21.

Buchanan,	Getzendaner,	Matlock,
Chesley,	Gibbs,	Peacock,
Collins,	Gooch,	Pope,
Davis,	Harris,	Shannon,
Farrar,	Jones,	Stratton,
Fleming,	Kleberg,	Terrell,
Fowler,	Martin,	Traylor.

NAYS—none.

Bill passed.

On motion of Senator Davis, House bill No. 119, "An act to amend article 4232 of the Revised Civil Statutes of the State of Texas, adopted by the regular session of the Sixteenth Legislature," was taken up out of its regular order and read the second time, the three committee amendments adopted separately, and bill passed to third reading.

On motion of Senator Davis, rules were suspended and bill put on its third reading by the following vote:

YEAS—23.

Buchanan,	Getzendaner,	Patton,
Chesley,	Gibbs,	Peacock,
Collins,	Gooch,	Pope,
Cooper,	Harris,	Shannon,
Davis,	Jones,	Stratton,
Farrar,	Kleberg,	Terrell,
Fleming,	Martin,	Traylor.
Fowler,	Matlock,	

NAYS—none.

Bill read third time and passed by the following vote:

YEAS—22.

Buchanan,	Getzendaner,	Patton,
Chesley,	Gibbs,	Peacock,
Collins,	Gooch,	Pope,
Cooper,	Harris,	Shannon,
Davis,	Jones,	Stratton,
Farrar,	Martin,	Terrell,
Fleming,	Matlock,	Traylor.
Fowler,		

NAYS—none.

Senator Farrar moved to suspend regular order of business and take up Senate bill No. 327, a bill to be entitled "An act to amend articles 66, 67, 68, 70, 71, 72, 73, 74 and 80, of an act entitled 'an act to adopt and establish the Revised Civil Statutes of the State of Texas,' passed March 17, 1879, and to amend articles 75 and 79 of the Revised Civil Statutes of the State of Texas, amended on April 18, 1879, and to add article 68a."

Adopted.

Bill taken up and read second time.

Senator Farrar offered the following amendment:

"The near approach of the end of the session creates an emergency and an imperative public necessity justifying the suspension of the constitutional rule requiring bills to be read on three several days; and that this act take effect and be in force from and after its passage; said rule is therefore suspended, and it is enacted that this act take effect and be in force from and after its passage."

Adopted, and bill, as amended, ordered engrossed.

Senator Farrar moved to suspend the rules and place the bill on its third reading.

Adopted by the following vote:

YEAS—22.

Buchanan,	Gibbs,	Patton,
Chesley,	Gooch,	Peacock,
Collins,	Harris,	Pope,
Cooper,	Jones,	Shannon,
Davis,	Kleberg,	Stratton,
Farrar,	Martin,	Terrell,
Fowler,	Matlock,	Traylor.
Getzendaner,		

NAYS—none.

Bill read third time and passed by the following vote:

NAYS—23.

Buchanan,	Getzendaner,	Patton,
Chesley,	Gibbs,	Peacock,
Collins,	Gooch,	Pope,
Cooper,	Harris,	Shannon,
Davis,	Jones,	Stratton,
Farrar,	Kleberg,	Terrell,
Fleming,	Martin,	Traylor.
Fowler,	Matlock,	

NAYS—none.

On motion of Senator Jones, Senator Houston was excused till Monday morning.

On motion of Senator Pope, Senator Getzendaner was excused until Tuesday morning, on account of sickness in his family.

On motion of Senator Traylor, Senate joint resolution No. 46, the penitentiary lease resolution, was taken up out of its regular order and made the special order for Thursday morning next after the morning call, and from day to day till disposed of.

On motion of Senator Farrar, Senate adjourned until Monday morning at 10 o'clock.

## FIFTY-FIFTH DAY.

SENATE CHAMBER,  
AUSTIN, TEXAS, March 19, 1883. {

Senate met pursuant to adjournment.

The President pro tem. in the chair.

Roll called. Quorum present.

Prayer by the Chaplain.

Upon motion of Senator Kleberg, the reading of the journal of Saturday was dispensed with, and the same adopted.

The President signed House bill No. 113, "An act to amend article 838, Revised Statutes."

Senator Matlock presented a petition of citizens of Montague county, asking that the office of attorney be abolished in the tenth judicial district.

Referred to Committee on Judicial Districts.

Senator Harris, chairman of Committee on Judicial Districts, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, March 19, 1883.

Hon. A. W. Houston, President pro tem. of the Senate, and Hon. C. E. Gibson, Speaker of the House of Representatives:

Your committee of conference, to whom was referred the matter of disagreement between the two houses on substitute for House bills Nos. 5, 50, 406, 431 and 476, entitled "An act to reorganize the fifth, seventeenth and thirty-fifth judicial districts, and to fix the times of holding the courts therein, and to change the times of holding the district courts in the seventh, fourteenth, twenty-fourth and thirty-fourth judicial districts, and in the counties of Kaufman, Sabine, San Augustine and Nacogdoches," have considered the same and failed to agree, wherefore we ask that your committee be granted the powers of free conference.

A. J. HARRIS,  
N. G. COLLINS,  
J. A. MARTIN.

On part of the Senate.  
WALTER ACKER,  
J. R. ROBINSON,  
A. J. CHAMBERS,  
On part of the House.

On motion of Senator Gooch, the report was adopted. The President reappointed the same committee, with free conference powers.

Senator Terrell, chairman of Judiciary Committee No. 1, submitted the following reports:

COMMITTEE ROOM,  
AUSTIN, March 19, 1883.

Hon. A. W. Houston, President pro tem. of the Senate:

Your Judiciary Committee No. 1, to whom was referred substitute for House bill No. 19, substitute for House bills Nos. 125, 148, 270 and 274, entitled "An act to amend articles 1678, 1696, 1698, 1699, 1700, 1705, 1707, 1708 and 1709 of the Revised Civil Statutes of the State of Texas," have carefully examined the same, and a majority instruct me to report the same back with the recommendation that it do pass.

The bill makes provision for certain formalities in the return of elections that the law does not now provide for, and which are, in the judgment of a majority of your committee, important and desirable.

All of which is respectfully submitted.

TERRELL, Chairman.

Bill read first time.

COMMITTEE ROOM,  
AUSTIN, March 19, 1883.

Hon. A. W. Houston, President pro tem. of the Senate:

Your Judiciary Committee No. 1, to whom was referred substitute for House bill No. 274, entitled "An act to amend articles 1687 and 1693 of the Revised Civil Statutes," have carefully examined the same, and a majority instruct me to report the same back with the recommendation that it do pass.

The bill provides for certain changes in the election law concerning the election of members of Congress, which, in the judgment of a majority of your committee, are wise and salutary.

All of which is respectfully submitted.

TERRELL, Chairman.

Bill read first time.

Senator Martin, chairman of Committee on Engrossed Bills, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, March 19, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 324, being "An act to provide for the location and patenting of veteran and Confederate certificates," and find the same correctly engrossed.

MARTIN, Chairman.

Senator Shannon introduced a bill entitled "An act supplementary to and amendatory of an act entitled 'an act to provide for the sale of the alternate sections of lands in the organized and unorganized counties, belonging to the common school fund.'"

Referred to Committee on Public Lands, and

On motion of Senator Shannon, 100 copies ordered printed.

Senator Jones offered the following resolution:

Joint resolution fixing the day of adjournment of the Eighteenth Legislature.

Resolved, That the Eighteenth Legislature of the State of Texas do stand adjourned sine die at 12 o'clock m., on Saturday, March 31, 1883.

Senator Gooch moved to refer the resolution to Committee on State Affairs.

The motion was withdrawn, and the resolution ordered to lie over under the rules.

The President laid before the Senate Senate bill No. 324, "An act to provide for the locating and patenting of veteran and Confederate land certificates," being special order for this morning.

Bill read third time.

Senator Buchanan moved to reconsider the vote by which the bill was ordered engrossed.

Senator Kleberg moved the previous question on the motion to reconsider and on the passage of the bill.

Motion lost by the following vote:

YEAS—11.

Buchanan,  
Cooper,  
Davis,  
Evans,

Fowler,  
Johnson of Shelby,  
Martin,  
Matlock,

Pope,  
Randolph,  
Terrell.

NAYS—14.

Chesley,  
Collins,  
Farrar,  
Fleming,  
Gibbs,

Gooch,  
Harris,  
Houston,  
Jones,  
Kleberg,

Patton,  
Pfeuffer,  
Shannon,  
Traylor.

Bill passed by the following vote:

YEAS—22.

Buchanan,  
Chesley,  
Collins,  
Cooper,  
Davis,  
Evans,  
Farrar,  
Fleming,

Fowler,  
Gibbs,  
Gooch,  
Johnston of Shelby,  
Jones,  
Kleberg,  
Martin,

Matlock,  
Pfeuffer,  
Pope,  
Randolph,  
Shannon,  
Terrell,  
Traylor.

NAYS—2.

Harris,

Houston.

Senator Kleberg moved to suspend the regular order of business and take up substitute House joint resolutions Nos. 4, 10, 11 and 13, "To amend section 3, article 7, of the Constitution of the State of Texas."

Adopted.

Resolution taken up and read second time.

Senator Gibbs offered the following amendment:

Amend by adding the following:

And the county commissioners' court or other competent authority may, in such manner as may be prescribed by general or special law, divide their counties into school districts. An annual ad valorem tax may be levied and collected in such manner as may be prescribed by law within school districts to aid in the support and maintenance of public free schools in the district, and for the erection of school buildings therein, not to exceed twenty-five cents on the one hundred dollars valuation, if, at an election held for that purpose, two-thirds of the property tax payers, residents of such district and voting at such election, who are qualified voters, vote in favor of such tax of twenty-five cents on the one hundred dollars, or for any specific per cent less than that amount. And the Legislature shall have power to pass local or special laws regulating the formation of school districts and the levying of taxes therein, within the provisions of this section, without the necessity of advertising under the rules for the passage of other special laws. Where an incorporated city or town is or may become an independent school district, under section 10, article 11, thereof, and laws thereunder, this section shall not apply to it.

Adopted.

Senator Chesley offered the following amendment:

Amend section 3, in lines 6 and 7, by striking out the words "not more than."

Adopted, and bill passed to its third reading.

Senator Terrell introduced a joint resolution instructing the Senators and requesting the Representatives of the State of Texas in the Congress of the United States to urge upon the general government a recognition of Greer county as a part of the territory of Texas.

Referred to Committee on Federal Relations.

Senator Gibbs entered a motion to reconsider the vote by which Senate bill No. 324, relative to the location, etc., of veteran and Confederate land certificates was passed.

Senator Cooper moved to call up the motion of Senator Gibbs, and to lay that motion on the table.

Withdrawn, for explanation from Engrossing Committee.

After explanation of chairman of Engrossing Committee,

Senator Cooper renewed his motion to lay motion of Senator Gibbs to reconsider on the table.

Lost, by the following vote:

## YEAS—9.

Buchanan,	Evans,	Matlock,
Cooper,	Johnston of Shelby,	Pope,
Davis,	Kleberg,	Stratton.

## NAYS—16.

Chesley,	Gooch,	Pfeuffer,
Collins,	Harris,	Randolph,
Farrar,	Houston,	Shannon,
Fleming,	Jones,	Terrell,
Fowler,	Martin,	Traylor.
Gibbs,	Patton,	

Motion to reconsider adopted.

Senator Cooper offered the following amendment:

Strike out the word "not" and insert the word "never."

Adopted by the following vote:

## YEAS—23.

Buchanan,	Gibbs,	Patton,
Chesley,	Gooch,	Pfeuffer,
Cooper,	Harris,	Pope,
Davis,	Houston,	Shannon,
Evans,	Jones,	Stratton,
Farrar,	Kleberg,	Terrell,
Fleming,	Martin,	Traylor.
Fowler,	Matlock,	

## NAYS—none.

Senator Terrell offered the following amendment:

Amend by adding a section:

SECTION —. This act shall not be construed to recognize any legal right in the holder of any certificate to have satisfaction of the same by appropriating lands within the limits of the territory appropriated to education and to pay public debt, by the act of July 14, 1879, and the act amendatory thereof, but the same is in the nature of a donation, and such certificates are so recognized only.

Senator Cooper moved the previous question on amendments and bill.

Motion seconded and main question ordered.

Amendment of Senator Terrell adopted by the following vote:

## YEAS—20.

Buchanan,	Harris,	Pfeuffer,
Chesley,	Houston,	Randolph,
Farrar,	Johnston of Shelby,	Shannon,
Fleming,	Jones,	Stratton,
Fowler,	Kleberg,	Terrell,
Gibbs,	Martin,	Traylor.
Gooch,	Patton,	

## NAYS—4.

Cooper,	Evans,	Matlock.
Davis,		

Bill passed by the following vote:

## YEAS—4.

Buchanan,	Gibbs,	Pope,
Chesley,	Johnston of Shelby,	Randolph,
Cooper,	Jones,	Shannon,
Davis,	Martin,	Stratton,
Evans,	Matlock,	Terrell,
Farrar,	Pfeuffer,	Traylor.
Fleming,		

## NAYS—5.

Fowler,	Harris,	Kleberg.
Gooch,	Houston,	

The following reasons for voting against the passage of the bill were asked to be spread upon the journal:

Reasons for voting against Senate bill No. —, providing, in substance, for permitting veteran and Confederate certificates within the school and public debt reservation of public land.

We vote against the bill for the following reasons:

1. The certificates were issued under a law that they were to be located on lands outside of said reservation, if such land could be found, and when there was ample land outside thereof.

2. After the land outside of the reservation had nearly all been located on, the Legislature refused to open the reservation, and the veterans and cripples had to sell their certificates at five to seven cents per acre; and the purchasers bought them with the same understanding, and with a view of finding land outside of the reservation. And now that these deserving veterans and cripples have, by

poverty and legislative action, been forced to sell their certificates for a pittance, it is proposed to open the reservation and give to each of those who have held their certificates about \$1280 worth of land for the same, when there is no legal or moral obligation to do so.

3. Even though the bill, as amended, proposes to treat the 1280 acres of land now given, or now permitted to be located upon within the reservation, as a pure and new donation, as it is in fact, we think that it is a discrimination against the largest portion of the veterans and cripples, because it operates as a donation to those only who have been able to hold their certificates.

4. We think it may be the better public policy to sell the land (not belonging to schools) now believed to be worth about one dollar per acre, and pay the owners of all land certificates their market value at this time, or at such time as may be agreed upon, which would be doing abstract justice between the State and the certificate holders, and relieve the State of a harassing question, and one which will long continue to demand adjustment, if not settled now. This would be preferable to this bill, though we do not believe any certificate holders, of any character of certificates, can demand as a matter of right the opening up of any reservation to the location of their certificates.

JNO. YOUNG GOOCH,  
J. P. FOWLER,  
A. J. HARRIS.

Senator Kleberg moved suspend regular order of business to take up substitute for House joint resolutions Nos. 6, 8 and 27, amending section 9, article 8, of the Constitution of the State of Texas.

Adopted, and resolution taken up and read second time.

Senator Gibbs offered the following amendment:

Amend by inserting "25 cents" instead of "15 cents."

Lost.

Senator Davis moved to amend by striking out the last proviso.

Senator Martin offered to amend the amendment by striking out the words "or enterprise."

The President ruled the amendment out of order, as it was embraced in the amendment to strike out the last proviso.

Senator Davis' amendment was lost.

Senator Gooch moved to reconsider the vote refusing to adopt Senator Davis' amendment to strike out the proviso.

Adopted, and vote reconsidered by the following vote:

## YEAS—19.

Chesley,	Harris,	Pope,
Cooper,	Houston,	Randolph,
Farrar,	Jones,	Shannon,
Fleming,	Martin,	Stratton,
Fowler,	Patton,	Terrell,
Gibbs,	Pfeuffer,	Traylor.
Gooch,		

## NAYS—7.

Buchanan,	Evans,	Kleberg,
Collins,	Johnston of Shelby,	Matlock.
Davis,		

Senator Davis' amendment was adopted.

Senator Gooch offered the following amendment:

After "public buildings" insert "street, sewer or other permanent improvement."

Adopted.

Senator Davis offered to amend by striking out the "fifteen cents for roads."

Lost, and resolution passed to third reading.

The President signed substitute for Senate bill No. 183, "An act to amend an act entitled 'an act to amend an act to create a Commission of Arbitration and Award, and to define the powers and duties thereof, and to make an appropriation to pay the salaries of the judges thereof,' approved February 9, 1881."

On motion of Senator Martin, House bill No. 269, "An act to authorize and grant to E. S. Crosby the right to construct, maintain and use a boom across the Brazos river, in McLennan county, for the stoppage of floating material,"



was taken up out of its regular order, read the third time and passed.

The President laid before the Senate House bill No. 34, being the bill known as the "Sunday law," with amendments by the Senate, in which the House refuses to concur, the motion of Senator Shannon that the Senate recede from its amendments, pending.

The motion to recede was lost.

Senator Pfeuffer's motion that the Senate insist on its amendments, and that a free conference committee be appointed, was adopted by the following vote:

YEAS—14

Chesley,	Houston,	Pope,
Collins,	Kleberg,	Shannon,
Fowler,	Martin,	Stratton,
Gibbs,	Patton,	Terrell,
Gooch,	Pfeuffer,	

NAYS—8.

Davis,	Fleming,	Randolph,
Evans,	Harris,	Traylor,
Farrar,	Matlock,	

The President appointed on said free conference committee on the part of the Senate, Senators Kleberg, Pope and Terrell.

The President laid before the Senate Senate bill No. 323, "An act to redistrict the State into judicial districts, and prescribe the times of holding court therein, and to provide for the election of judges and district attorneys in said districts at the next general election, to be held on the first Tuesday in November, A. D. 1884."

Senator Collins offered the following amendments:

Amend section 39, page 17, after line 9, by inserting: "In the county of Zapata on the seventh Monday after the first Mondays in February and September, and may continue in session one week."

In line 10 strike out "seventh" and insert "eighth," and in line 11 strike out "six" and insert "five."

In line 17 strike out "counties Zapata and," and insert "county of."

Adopted by the following vote:

YEAS—24.

Buchanan,	Gooch,	Patton,
Collins,	Harris,	Pfeuffer,
Cooper,	Houston,	Pope,
Davis,	Johnston of Shelby,	Randolph,
Evans,	Jones,	Shannon,
Farrar,	Kleberg,	Stratton,
Fleming,	Martin,	Terrell,
Fowler,	Matlock,	Traylor,
Gibbs,		

NAYS—none.

Senator Harris offered the following amendment:

Amend so as to give Bandera county two weeks term of court, and make the balance of the bill conform to the change.

Adopted by the following vote:

YEAS—22.

Buchanan,	Gibbs,	Matlock,
Collins,	Gooch,	Pfeuffer,
Cooper,	Harris,	Pope,
Davis,	Houston,	Randolph,
Evans,	Johnston of Shelby,	Shannon,
Farrar,	Kleberg,	Stratton,
Fleming,	Martin,	Traylor,
Fowler,		

NAYS—none.

Senator Stratton offered the following amendment:

Amend section 23 so as to read as follows:

The twenty-third judicial district shall be composed of the counties of Brazoria, Jackson, Fort Bend, Matagorda, Waller and Wharton, and the district court shall be held therein as follows:

In the county of Waller on the first Mondays in January and July, and may continue in session three weeks.

In the county of Fort Bend on the third Monday after the first Mondays in January and July, and may continue in session four weeks.

In the county of Wharton on the seventh Monday after the first Mondays in January and July, and may continue in session three weeks.

In the county of Jackson on the tenth Monday after the first Mondays in January and July, and may continue in session two weeks.

In the county of Matagorda on the thirteenth Monday after the first Mondays in January and July, and may continue in session two weeks.

In the county of Brazoria on the fifteenth Monday after the first Mondays in January and July, and may continue in session until business is disposed of.

Amend section 21 so as to read as follows:

SECTION 21. The counties of Washington, Burleson and Lee shall compose the twenty-first judicial district, and the district court shall be held therein as follows:

In the county of Washington on the first Mondays in March and September, and may continue in session eight weeks.

In the county of Lee on the eighth Monday after the first Mondays in March and September, and may continue in session three weeks.

In the county of Burleson on the eleventh Monday after the first Mondays in March and September, and may continue in session three weeks.

Senator Chesley offered the following amendment to the amendment of Senator Stratton:

Amend amendment to section 23 by striking out "January and July," wherever it occurs, and insert "March" in place of "January," and "September" in place of "July."

Accepted, and

Senator Stratton's amendment, as amended, adopted by the following vote:

YEAS—24.

Buchanan,	Gibbs,	Patton,
Chesley,	Gooch,	Pfeuffer,
Collins,	Harris,	Pope,
Cooper,	Houston,	Randolph,
Evans,	Johnston of Shelby,	Shannon,
Farrar,	Kleberg,	Stratton,
Fleming,	Martin,	Terrell,
Fowler,	Matlock,	Traylor,

NAYS—none.

And bill, as amended, passed.

Senator Matlock moved to suspend the regular order of business and take up Senate bill No. 219, a bill entitled "An act to amend article 4205 of the Revised Civil Statutes of the State of Texas."

Taken up and read second time, with substitute by committee.

The committee substitute was adopted.

Senator Davis offered the following amendment:

Amend by adding a section, as follows:

The crowded condition of the business on hand, and the near approach of the close of the session, creates an imperative public necessity authorizing the suspension of the constitutional rule requiring bills to be read on three several days, and such rule is hereby suspended.

Adopted.

Senator Patton offered the following amendment:

Amend by striking out "and in case the party proceeding to have the property condemned be dissatisfied with said judgment or award, and appeal, they shall deposit the amount of such judgment or award and all costs in either case, the amount deposited to remain on deposit to abide the final judgment of the court in such case," and adding at the end of the section "provided, that the party having the property condemned shall in no event have the right of appeal."

Senator Harris offered the following amendment:

Add the following to the section: "Provided, that in case of appeal the land owner shall have the right to draw



from the deposit made with the clerk the amount of his judgment, by giving bond in the amount to be fixed by the court conditioned that he will return so much thereof as he may not recover on final judgment."

Senator Chesley offered the following amendment to amendment of Senator Harris:

Amend by inserting after the word "bond" the words "with two or more solvent and sufficient sureties."

Accepted, and

Senator Harris' amendment, as amended, adopted.

Senator Matlock offered the following amendment to amendment of Senator Patton:

Amend the amendment by striking out the proviso.

On motion of Senator Fleming, the Senate adjourned till 3 o'clock p. m.

### AFTERNOON SESSION.

Senate met pursuant to adjournment.

President pro tem. in the chair.

Roll called. No quorum present.

Senator Martin moved a call of the Senate.

Motion seconded.

Roll called. Quorum announced.

Senator Harris moved that the call be suspended.

Adopted.

Senator Matlock's amendment to the amendment of Senator Patton, pending on adjournment, was adopted.

Senator Patton moved to reconsider the vote by which Senator Matlock's amendment was adopted.

Lost by the following vote:

#### YEAS—10.

Buchanan,	Houston,	Randolph,
Cooper,	Kleberg,	Shannon,
Evans,	Patton,	Traylor.
Gibbs,		

#### NAYS—16.

Chesley,	Gooch,	Matlock.
Collins,	Harris,	Pfeuffer,
Davis,	Johnston of Shelby,	Pope,
Farrar,	Jones,	Stratton,
Fleming,	Martin,	Terrell.
Fowler,		

Senator Patton's amendment was lost.

Senators Kleberg assigns the following reasons for voting for the amendment:

I vote for the amendment because I believe the bill without it is a practical perversion of the constitutional rule, which enjoins just compensation for the condemning of private property.

Senator Davis moved the previous question on bill.

Motion seconded, and the main question ordered, and

The Senate refused to engross the bill by the following vote:

#### YEAS—10.

Chesley,	Gooch,	Martin,
Collins,	Johnston of Shelby,	Matlock,
Davis,	Jones,	Terrell.
Gibbs,		

#### NAYS—15.

Buchanan,	Fowler,	Pope,
Cooper,	Houston,	Randolph,
Evans,	Gibbs,	Shannon,
Farrar,	Kleberg,	Traylor.
Fleming,	Patton,	

Senator Shannon moved that the Senate go into executive session at 4 o'clock p. m. on the appointments of the Governor.

Adopted.

Senator Patton moved to take up the motion of Senator Peacock to reconsider the vote by which Senate bill No.

528, "An act to make null and void all sales of land illegally and fraudulently made, and to provide for the sale of the alternate sections of land in organized counties, as surveyed by railroad companies and other works of internal improvements, and set apart for the benefit of the common school fund," approved July 8, 1879, and an act amendatory thereof, approved April 6, 1881," was referred to Judiciary Committee No. 1.

Senator Davis moved the previous question.

Motion seconded.

Main question ordered, and Senate refused to reconsider.

Four o'clock, the hour for executive session, having arrived,

The Senate went into executive session.

#### IN SENATE.

On motion of Senator Houston, the Secretary of the Senate was instructed to inform the Governor that the Senate advises and consents to the appointment of Dr. R. M. Swearingen, as State Health Officer, and the following notaries public:

Lamar county—John B. Stephens, Wood M. Jones, B. J. Baldwin, Ed. Collins, R. D. Wilkins, R. P. Mayo, J. E. Roberts, B. H. Denton, S. C. Ratcliff, J. R. Ryan, P. T. Hudson, Ed. Skidmore, Geo. B. Whipple, S. C. Hancock, W. L. Burdette, G. I. Terrell, B. F. Fuller, L. A. Cunningham and J. R. G. Long.

Fannin county—W. E. Dally, Geo. A. Preston, W. B. Pattison, John Pope, J. E. Dupree, Young Bergher, A. O. Stephens, B. N. Woodson, G. G. Lindsey, S. L. Erwin, P. C. Thurmond, F. J. Abernathy, J. R. Young, G. W. Squires, J. T. Saxon, B. S. Johnson, W. W. Sanders, Samuel J. Gaibreath and W. T. Gass.

Red River county—J. H. Brittan, F. M. Montgomery, D. A. Chambers, N. A. Shaw, A. S. Bailey, J. J. Perdue, J. H. Johnson, J. C. Perot, D. A. Baker, J. G. Stiles, John A. Moseley, F. M. Smith, Henry McAllister, J. Joplin, Calvin Lindsay, Chas. R. Ramseur, T. J. McBride, W. W. Banks, K. W. Towns and Stephen H. Teel.

Tarrant county—J. T. Morehead, H. E. Valentine, E. Booth, R. F. Moore, W. H. H. Moore, B. F. Latimer, J. S. Morris, A. S. Hayter, G. W. Joplin, G. W. Finger, Z. Cetti, C. M. Crane, C. C. Cummings, T. P. Martin, G. W. Alexander, G. Nance, W. H. Aldridge, Geo. Mulkey, Hide Jennings and C. W. Lamborn.

Wise county—J. P. Lowry, John Brown, J. M. O'Neill, W. H. Bullock, A. Devereux, J. W. Greenfield, L. C. Sparkman, J. W. Hall, L. J. Randall, B. F. Banks, W. F. Burton, S. E. Hatchett, G. M. McSpaden, R. A. Dorsey, L. Tyler, H. F. Hawkins, S. H. Hodges, G. W. Trenchard, W. D. Gose, T. J. Wyatt.

Parker county—H. S. Moran, P. F. Branam, Geo. A. McCall, Henry P. DuBelle, T. F. Overmire, J. M. Richards, E. Taylor, J. P. McKinney, J. E. B. Stewart, W. D. Fielding, W. C. Thompson, A. B. Kindle, J. B. Price, Henry Smythe and A. Y. Hutchison.

Jack county—W. L. Garvin, C. E. Rentz, Geo. Kuykendall, Willis Stewart, J. W. Stark, E. W. Nicholson, Jas. R. Robinson, Wm. Hood, D. J. Files, J. P. Reagan, N. S. Cox and J. P. Kirk.

Anderson county—A. W. Gregg, M. Glenn, A. B. Langerman, Theo. G. Jones, J. H. Mead, Jno. J. Word, J. Conaway, R. J. Royall, Palestine, W. L. Derden, Bethel, R. M. Jackson, Kickapoo; Jno. C. Oldham, Beaver; P. L. Bradford, Bradford; Jno. Young, jr., Tucker; Ben Barker, Elkhart; W. H. Campbell, Ioni; J. Q. A. Capps, Neches; W. A. Miller, Kickapoo; J. M. Emerson, Fosterville; J. W. Bryan, Elkhart.

Henderson county—M. H. Gossett, B. F. McCuiston, C. M. Morgan, R. J. Ridgell, S. M. Bradford, Geo. B. Thompson, W. J. Greer, W. C. Mason, B. C. Franklin, J. B. Murphy, R. W. Wiley, H. C. Turner, H. C. Tindel, John H. Reynolds, Robert H. Hodge, W. J. Evans, John W. Ballew, J. A. Buie, John R. Tyson.

Cherokee county—W. C. Bolton, A. Chessher, Geo. W. Middleton, W. C. Fredrick, T. J. Roach, W. A. Caviness, Jacksonville; A. Harrison, Alto; F. W. Bonner, E. L. Gregg, Rusk; James P. Gibson; U. P. Burney, Gent; Duncan McCall, Wm. B. Langley, Forest; R. A. Ewing, Y. B. Campbell, M. Jernigan.

Van Zandt county—W. B. Wynn, J. G. Kearby, J. C. Wright, S. B. Kilgore, W. L. Haynes, G. D. Staton, R. M. Liveley, John A. Bailey, J. W. Clowers, G. R. Goddard, S. W. Murphy, T. R. Yantis, G. M. Phipps, J. N. Fields, E. S. Terry.

Houston county—B. F. Duran, J. E. Downs, H. B. Bruner, R. H. Hutchins, W. J. Chaffin, R. E. Corry, Z. B. Johns and John Murchison.

Angelina county—J. C. McNight and W. J. Townsend.

Grimes county—C. C. Rollo, W. J. Callaway, Geo. E. White, P. C. McKee, Geo. D. Neal, Jas. M. Shaw, Chas. L. Kelter, Alex. F.

Brigance, W. W. Miacham, D. C. Zuber, W. C. Bookman, J. H. Wilson, Sam Blake and Robt. H. Gardin.

Leon county—H. M. Cook, C. M. Thomasson, H. P. Morrow, W. R. Ellis, A. D. Boggs, J. D. Stell, P. L. Anders, F. B. Looney, B. D. Dashiell, S. G. Ward, Horatio Durst and A. G. Weaver.

Madison county—J. F. Randolph, J. L. Bolling, John Vernon, V. A. Hendrix and John Sterett.

Rusk county—D. M. Deason, J. P. Ross, W. P. Devereux, Dallas Forman, G. H. Gould, L. D. Stephens, M. W. Pearson, T. H. Still, J. G. Garrison, J. B. Hollingsworth, J. T. Madox, T. A. Whetstone, H. Carter, G. R. Lacy and J. H. Wood.

Panola county—T. A. Lawrence, J. W. Cariker, T. G. Allison, C. A. Cadenhead and W. M. Donaldson.

San Augustine county—A. C. Holmes, M. W. Hungerford and N. M. Neely.

Nacogdoches county—Jas. H. Thomas, B. W. Pye, T. R. Jennings, J. V. Birdwell, O. P. Feares, A. B. Patton, L. T. Barrett, F. B. Brewer, T. J. Swift, and Jno. P. Davidson.

Shelby county—T. C. Davis, Y. W. Rodgers, J. M. Hairgrove, Geo. Haden, W. Beck, W. D. Ellington, W. R. Field, Dan Brittain and James P. Payne.

Taylor county—Frank M. Kelsey, T. J. Finnie, J. S. Porter, P. G. Peters, Geo. W. Jalonick, D. B. Corley, Wesley Smith, S. P. Hardwicke, M. C. Lambeth, John Bowyer.

Senator Chesley entered a motion to reconsider the vote by which Senate joint resolutions Nos. 4, 10, 11 and 13, to amend section 3, article 7, of the Constitution of the State of Texas, was passed to third reading.

On motion of Senator Harris, Senator Peacock was excused until Thursday, on account of important business, and Senator Perry indefinitely, on account of sickness.

On Motion of Senator Pope, the Senate adjourned until 10 o'clock a. m. to-morrow.

#### FIFTY-SIXTH DAY.

SENATE CHAMBER,  
AUSTIN, TEXAS, March 20, 1883. }

Senate met pursuant to adjournment.

President pro tem. in the chair.

Roll called. Quorum present.

Prayer by the Chaplain.

On motion of Senator Shannon, the reading of the journal of yesterday was dispensed with, and the same adopted.

Senator Traylor, chairman of the Committee on Claims and Accounts, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, March 20, 1883.

Hon. A. W. Houston, President pro tem. of the Senate:

Your Committee on Claims and Accounts, to whom was referred the memorial of Thomas Goggan & Bro., asking for an appropriation of \$231, with interest thereon from April 8, 1871, a balance claimed to be due on a piano for the Executive mansion, have carefully examined the same, and instruct me to report the same back with the recommendation that the principal of \$231, without interest thereon, be allowed said memorialists, and that said sum be placed upon the deficiency bill.

All of which is respectfully submitted.

TRAYLOR, Chairman.

Senator Fowler introduced the following resolution:

*Resolved*, That all of the committee clerks of the Senate be and are hereby discharged, and that the President of the Senate be and is hereby authorized to appoint, when necessary, one assistant for the Engrossing Clerk, one assistant for the Enrolling Clerk, and one general clerk, who shall perform such other duties as may be required of them by the President of the Senate.

Adopted.

A message was received from the House, informing the Senate of the passage by that body of the following bills:

Substitute for Senate bill No. 221, "An act to provide for the organization of a board to direct, supervise and control the work of obtaining and presenting statements, accounts, and abstracts, showing the amount and character of the claims of the State of Texas against the government of the United States, for moneys expended by said State

in protecting her frontiers; to prepare vouchers, and to obtain and present necessary proof in support of said claims, as required by an act of Congress, entitled 'an act to authorize the Secretary of the Treasury to examine and report to Congress the amount of all claims of the States of Texas, Colorado, Oregon, Nebraska, California, Kansas and Nevada, and the Territories of Washington and Idaho, for moneys expended and indebtedness assumed by said States and Territories in repelling invasions and suppressing Indian hostilities, and for other purposes' approved \_\_\_\_\_, 1882."

House bill No. 59, "An act to amend sections 1, 2 and 9 of an act entitled 'an act to amend an act entitled an act creating the office of public weigher, and regulating the appointment, and defining the duties and liabilities thereof.'"

House bill No. 512, "An act defining the boundaries of the corporation of the city of Gonzales for municipal purposes."

Also, substitute for House bills Nos. 28 and 463, "To restore to and confer upon the county courts of Burnet and Comanche counties the civil and criminal jurisdiction heretofore belonging to said courts under the Constitution and laws of this State, to conform the jurisdiction of the district court to such change, and to repeal all laws in conflict with the provisions of this act."

Senator Traylor introduced a bill to be entitled "An act providing for adjusting and settling outstanding land certificates."

Referred to Committee on Public Lands.

Senator Martin, chairman of Committee on Engrossed Bills, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, March 20, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 150, being "An act to amend article 1173, of chapter 4, title 28, of the Revised Statutes."

Also, Senate bill No. 15, being "An act establishing a reformatory farm for the confinement, reform and utilization of convicts under the age of eighteen years."

Also, Senate joint resolution No. 45, "Instructing the Attorney General of the State of Texas to institute suit against the Houston and Texas Central Railroad Company for amount claimed to be due by them, as successors of the Washington County Railroad, to the public free school fund."

And find the same correctly engrossed.

MARTIN, Chairman.

Senator Gibbs introduced a resolution authorizing the Secretary of State to furnish Supreme Court reports to certain officials, with the request that it be acted on this morning.

Senator Harris made a point of order that to carry out the purposes of the resolution would be making an appropriation, and would have to take the course of a bill.

The chair sustained the point of order, and,

At the request of Senator Gibbs, the resolution was referred to the Committee on State Affairs.

Senator Pfeuffer moved to suspend the regular order of business and take up Senate bill No. 200, a bill to be entitled "An act making appropriations for deficiencies in the appropriations heretofore made for payment of expenses in support of the government from March 1, 1882, to February 28, 1883, being for payment of claims registered in the Comptroller's office, in accordance with law, and for outstanding claims not registered."

Senator Pfeuffer withdrew his motion, that Senator Fleming might call up substitute for Senate joint resolutions Nos. 12, 19, 21 and 31, joint resolution "Amending sections 4 and 6, article 7, of the Constitution of the State of Texas."